IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 6934 of 1995

Between:

Basava Madhava Rao S/o Satyam, Yard Foreman,
Visakhapatnam Port Trust R/O H.No.7/52/1
Sri Satya Sai Colony Prahaladapuram,Vsp-530 027

..... PETITIONER

AND

1. Visakhapatnam Port Trust, rep. by its Chairman
   Visakhapatnam-530 035

2. Visakhapatnam Port Trust, rep. by its Traffic
   Manager, Visakhapatnam-530 035

3. K.Ganapathi, Assistant Yard Master (Adhoc),Traffic Department
   Visakhapatnam Port Trust, Visakhapatnam -530 035.

4. N.Appala Naidu, Assistant Yard Master (Adhoc), Traffic Department
   Visakhapatnam Port Trust, Visakhapatnam -530 035 (Respondents 3 and 4 dismissed for default as per court order dt.7.1.03)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus directing the respondents 1 and 2 hearin to strict observance of rules and regulations in accordance with the Visakhapatnam Port Trust employees (recruitment, seniority and promotion) rules and recruitments rules made under to the post and grade of Assistant Yard Master and posts beyond that grade and consequently declare the action of the respondents 1 and 2 in promoting the respondents 3 and 4 from the post of Yard Foreman to the post of Assistant Yard Master, without following the above stated rules as illegal, arbitrary, without jurisdiction, violative of articles 14 & 16 of the constitution of India, violation of principles of natural justice, null and void and further direct the respondents 1 and 2 to restore the seniority of the petitioner over and above the respondents 3 and 4.

Counsel for the Petitioner: MR.M.KESAVA RAO

Standing Counsel for the Respondent Nos.1 and 2: MR.K.SRINIVASAMURTHY

The Court made the following:

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 6934 of 1995

ORDER:

The learned counsel for the petitioner represents that the petitioner died during the pendency of the writ petition and no Legal Representatives have been brought on record.

2. In view of the above representation, it is treated that the writ petition stands abated

3. Hence, the Writ Petition is dismissed as abated.

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September 7,2004

KVR

To

1 The Chairman,
Visakhapatnam Port Trust, Visakhapatnam-530 035

2. The Traffic Manager, Visakhapatnam Port, Trust, Visakhapatnam-530 035

5 Two C.D.Copies.